

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte JOSEPH COSENTINO

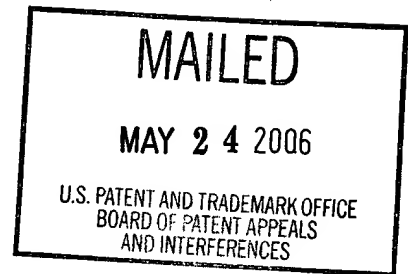
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Appeal No. 2006-1090  
Application No. 09/848,005

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ON BRIEF

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Before JERRY SMITH, BLANKENSHIP, and SAADAT, Administrative Patent Judges.  
BLANKENSHIP, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134 from the examiner's final rejection of claims 20-25 and 27-30, which are all the claims remaining in the application.

We affirm-in-part.

### BACKGROUND

The invention relates to item transports in financial document processing systems that serve to receive, process, and sort documents. A typical item transport is quite large and requires an operator to walk a distance to get from one side or end of the machine to the other. An operator may be working at one area of the transport when a problem occurs, requiring the operator to walk to the display area, read an error message, and proceed to an area of the transport that requires the operator's attention. The operator must also walk to the display area to enter commands into the item transport, via a keyboard or other input device. A need thus exists for a way that, according to appellant, an operator of a document processing system may receive messages and enter commands without needing to move to the display area of the system. (Spec. at 1-2.) Appellant's invention includes a portable control unit by which the operator may wirelessly receive messages and enter commands. Representative claims 20 and 25 are reproduced below.

20. A financial document processing system comprising:

a financial document processing transport including (i) means defining a document transport path along which financial documents can be transported, and (ii) a first display for allowing an operator to view an operator message which relates to an exception condition which has occurred along the document transport path;

a transport controller including (i) means for controlling operation of the transport, and (ii) means for generating an operator message when an exception condition occurs along the document transport path;

a transmitter interface including (i) means for receiving operator messages from the transport controller, and (ii) means for wirelessly transmitting operator messages; and

a portable control unit which is separate from the transport and which can be carried by an operator between a first location in which the operator is able to view the first display on the transport and a second location in which the operator is unable to view the first display on the transport, the portable control unit including (i) means for wirelessly receiving operator messages from the transmitter interface, (ii) a second display for allowing the operator to view an operator message which relates to an exception condition which has occurred along the document transport path without having to move from the second location to the first location to view the operator message on the first display, (iii) means for receiving command inputs from the operator, (iv) means for transmitting command messages which are based upon the command inputs to the transport to control operation of the transport, (v) means for receiving a broadcasted message advising that the transport is available, (vi) means for enabling the operator to select the transport, and (vii) means for exchanging authenticating information with the transport to establish a communication session with the transport.

25. A method of operating a financial document processing transport, the method comprising:

establishing a communication session with a portable operator control unit which can be carried by an operator between one location of the transport and another location of the transport during operation of the transport;

wirelessly transmitting operator messages to the portable control unit when an exception condition associated with the transport occurs; and

wirelessly receiving commands from the portable control unit when an operator responds to operator messages which have been wirelessly transmitted to the portable control unit.

The examiner relies on the following references:

Ahmadi et al. (Ahmadi)	5,384,777	Jan. 24, 1995
Brooks et al. (Brooks)	5,754,673	May 19, 1998

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Claims 20-25 and 27-30 stand rejected under 35 U.S.C. § 102 as being anticipated by Brooks.

Claims 20-25 and 27-30 stand rejected under 35 U.S.C. § 103 as being unpatentable over Brooks and Ahmadi.

We refer to the Final Rejection (mailed Mar. 4, 2005) and the Examiner's Answer (mailed Oct. 12, 2005) for a statement of the examiner's position and to the Brief (filed Aug. 4, 2005) for appellant's position with respect to the claims which stand rejected.

#### OPINION

Brooks discloses a document processing system that includes an "action window" 100 (Figs. 1 and 2A). Documents (e.g., checks) are read by a character recognition imaging unit. The operation may require correction by a human operator before further processing of the documents. Action window 100 presents a document for correction via "conventional data entry procedures." An image of the document may also be presented to a local operator via a local video monitor or "a remotely located operator via a LAN connection." Following correction of the document by the operator, the document is provided to encoder 102, whereby the document is encoded with MICR (magnetic ink character recognition) character data in accordance with the character recognition process or the operator-directed process performed at action window 100. Col. 3, l. 10 - col. 4, l. 21; col. 9, ll. 18-53.

The examiner finds that the reference to operator communication via a remote LAN connection would have been understood by the artisan as inclusive of wireless LAN connections. The claims have also been rejected under 35 U.S.C. § 103, further relying on Ahmadi for its teachings with respect to a wireless LAN base and mobile stations. However, appellant does not contest the examiner's finding that the Brooks reference describes a wireless LAN connection, but does argue that language in the instant claims distinguishes over the applied prior art.

Instant claim 25 recites wirelessly receiving "commands" from the portable control unit when an operator responds to operator messages which have been wirelessly transmitted to the portable control unit. According to appellant, Brooks teaches making document corrections via "conventional data entry procedures," but does not disclose or suggest reception of "commands" from a portable control unit as claimed. (Brief at 7.)

However, we agree with the examiner that corrections of documents as described by Brooks are instances of "commands" that are sent to the document processor. Brooks describes entry of characters for correction, which may be by "conventional data entry procedures." However, when the corrected data is entered, there are necessarily indications to the processor that the document information has been corrected and that further processing may proceed. Transmission of such "commands" could be effected by as simple an operation as pressing a carriage return.

Claim 25 does not specify any required format for the commands, nor even what the processing transport might do in response to reception of the commands.

We therefore sustain the rejection of claim 25. We also sustain the rejection of claim 27, because indication to the document processor of Brooks that document information has been corrected and that further processing may proceed can fairly be considered a "command message" received from the portable control unit (i.e., via remote LAN connection). We are not persuaded that the examiner's interpretation of the terms of claims 25 and 27 is unreasonable.

Appellant submits, with respect to claim 20, that Brooks fails to disclose or suggest that the portable control unit (i.e., remote device connected via a LAN) is capable of various claimed operations. The examiner, however, reads the disputed language on required operator entries and other operations that are required for communications over a LAN. (Answer at 3-4.) We consider the examiner's position to be reasonable. Appellant could have, but chose not to, file a reply brief to explain why any of the findings should be considered erroneous. We sustain the rejection of claim 20, and of claims 21-24 depending from claim 20, not separately argued by appellant. See 37 CFR § 41.37(c)(1)(vii).

Further with respect to claim 20, appellant argues that Brooks does not disclose or suggest "a command to select one of a plurality of transports to establish a communication session." (Brief at 7.) Claim 20 does not require a command to select one of a plurality of transports to establish a communication session.

Claim 28, however, is drawn to a system including a plurality of financial document processing transports, including control units with, inter alia, means for generating a display listing available transports based upon messages which have been generated by transports, means for enabling an operator to select from the listing of available transports a desired transport with which to request a communication session, and means for wirelessly transmitting a selection message which is indicative of the transport which has been selected by the operator and with which the operator desires to request a communication session.

The examiner does not address the above-noted requirements in the statement of the rejection against claim 28. (Answer at 4.) The rejection seems to presuppose some suggestion for networking a plurality of financial document processing transports. According to the examiner, “[s]ince the whole of the system was controlled via a LAN, selection among such machines was possible via addressing using LAN protocols that included availability and thus selection.” (Answer at 7.)

The only disclosure we find in the record of networking multiple financial document processing transports is in the instant specification (e.g., spec. at 6; Fig. 3). In any event, the rejection does not identify any such disclosure or suggestion in the applied references. Even assuming such a prior art teaching exists, the rejection fails to show why at least the above-noted requirements of claim 28 would necessarily follow or at least have been suggested, should a plurality of financial processing transports be networked. We thus are in ultimate agreement with appellant that the rejection fails to

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show anticipation or obviousness of the subject matter of claim 28. We do not sustain the rejection of claim 28, nor of claims 29 and 30 that incorporate the limitations of claim 28.

#### CONCLUSION

The rejection of claims 20-25 and 27-30 under 35 U.S.C. §§ 102 and 103 is affirmed with respect to claims 20-25 and 27, but reversed with respect to claims 28-30. The examiner's decision is thus affirmed-in-part.



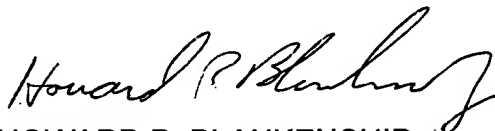
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No time period for taking any subsequent action in connection with this appeal  
may be extended under 37 CFR § 1.136(a). See 37 CFR § 1.136(a)(1)(iv).

AFFIRMED-IN-PART



JERRY SMITH  
Administrative Patent Judge



HOWARD B. BLANKENSHIP  
Administrative Patent Judge



MAHSHID D. SAADAT  
Administrative Patent Judge

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